

AO 133 (Rev. 9/89) Bill of Costs

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Hypertouch, Inc.

**BILL OF COSTS**

V.  
Kennedy-Western University

Case Number: C 04-05203 SI

Judgment having been entered in the above entitled action on 8 March 2006 against Hypertouch, Inc.  
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$
Fees for service of <del>400</del> <u>300</u> subpoenas .....	<u>806.63</u>
Fees of the court reporter for all or any part of the transcripts necessarily obtained for use in the case .....	_____
Fees and disbursements for printing .....	_____
Fees for witnesses (itemize on reverse side) .....	<u>111.57</u>
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	<u>65.40</u>
Docket fees under 28 U.S.C. 1923 .....	_____
Costs as shown on Mandate of Court of Appeals .....	_____
Compensation of court-appointed experts .....	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	_____
Other costs (please itemize) ... <u>deposition transcripts and exhibits</u> ...	<u>4,705.20</u>
<b>TOTAL</b>	\$ <u>5,688.80</u>

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

**DECLARATION**

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Timothy J. Walsh and John L. Fallat, attorneys for Hypertouch, Inc.

Signature of Attorney: 

Name of Attorney: Cynthia Woolcott

For: Kennedy-Western University Date: 9 March 2006  
Name of Claiming Party

Costs are taxed in the amount of \$ 5 and included in the judgment.

RICHARD W. WIEKING  
Clerk of Court

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Deputy Clerk



**Bill of costs Breakdown****Fees for service of subpoenas (Local Rule 54-3(a) and 28 U.S.C. 1920(1)):**

Beyond Systems (Paul Wagner)	350.91
Boca Networks (Andrew Paul)	115.00
Megapath Networks	37.97
Meriwest	47.75
Speakeasy	255.00

**Fees for witnesses (Local Rule 54-3(e) and 28 U.S.C. 1920(3)):**

Beyond Systems (Paul Wagner) (\$40 appearance + 10 miles)	49.70
Boca Networks (Andrew Paul) (\$40 appearance + 22.6 miles)	61.87

**Fees for copies of papers necessarily obtained for use in the case (Local Rule 54-3(d)(4) and 28 U. S.C. 1920(4)):**

Judge's set of s.j. motion exhibit copies (654 copies at \$.10)	65.40
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**Original and one copy of deposition transcripts and exhibits (LR 54-3(c)(1) and (3)):**

Beyond Systems (Paul Wagner) (original + copy)	1835.75
Boca Networks (Andrew Paul) (original + copy)	464.45
Hypertouch (Joe Wagner) (original + copy)	1744.50
Joe Wagner (expert) (original + copy)	592.90
deposition exhibit copies (1 set only, 677 copies at \$.10)	67.70

**Please note the documentation supporting the above charges is attached in the order referenced above.**

Please also note defendant intends to make a separate motion for attorneys' fees pursuant to 15 U.S.C. 7706(g)(4) and Local Rule 54-6.



Kennedy-Western University

Invoice # 17503

Page 4

DISBURSEMENTS

Amount

V05

service to Celeste Viers, 9200 Damascus Road, Rockville, MD

Beyond Systems, Inc.

\$180.91

Total disbursement

\$180.91

**J. J. PHOTOCOPY SERVICE, INC.**

**INVOICE**

46 WILSHIRE BLVD., #316  
LOS ANGELES, CA 90017

Tel: (213) 484-2282 Fax: (213) 484-3852

No. 48817

Federal Tax Id. No.: 52-2379535

<b>Bill To:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT	<b>Order By:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT <i>Justin Thomas</i>
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**HYPERTOUCH vs. KENNEDY-WESTERN UNIVERSITY**

7489 C-04-5203-SI

48817 12/30/2005 18831-0003 BEYOND SYSTEMS, INC.

BUSINESS RECORDS UNKNOWN

NO	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
NO	BASIC (CLERICAL FOLLOW UP) <i>Sub para service</i>	1	25.00	25.00

NOTE: CLOSE OUT PER CLIENT

SUBTOTAL	25.00
Sales Tax	0.00
SHIPPING	0.00
<b>TOTAL</b>	<b>\$25.00</b>

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) WOOLLACOTT JANNOL FIELDS LLP 10350 SANTA MONICA BLVD, SUITE 350 LOS ANGELES, CA 90025 (310) 277-5504	FOR COURT USE ONLY
ATTORNEY FOR (Name) NAME OF COURT AND ADDRESS UNITED STATES DISTRICT COURT OF FLORIDA	
PLAINTIFF/PETITIONER HYPERTOUCH DEFENDANT/RESPONDENT KENNEDY WESTERN	
<b>PROOF OF SERVICE</b>	CASE NO.: C045203SI

Hearing date: 09/13/05

Time: 10:00AM

Dept./Div.:

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the:

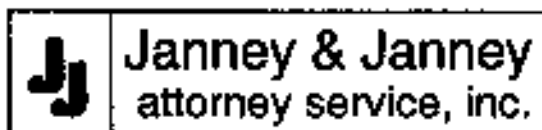
**SUBPOENA IN A CIVIL CASE**

2. a. Party served: BOCA NETWORK.COM LLC  
 b. Person served: ANDREW PAUL  
 MANAGER  
 c. Address: 3500 NW BOCA RATON BLVD., #706  
 BOCA RATON, FL 33431
3. I served the party named in item 2  
 a. by personally delivering the copies (1) on 08/03/05 at (2) 1:05 PM
4. Witness fees demanded and paid: \$ 61.87
5. Person serving:  
 PENNIE CAIN  
 JANNEY & JANNEY ATTORNEY SVCS.  
 1313 W. 8TH STREET SUITE 310  
 LOS ANGELES, CA 90017  
 (213) 628-6338
- a. Fee for service: 115.00  
 d. Registered California  
 process server (subcontractor)  
 (2) Registration No.: # PS#931  
 (3) County:
6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: 08/12/05

Signature: Pennie Cain

Judicial Council Form, Rule 982  
 1060161 pplv2



**Janney & Janney**  
 attorney service, inc.

1313 W. 8TH STREET SUITE 310  
 LOS ANGELES, CA 90017  
 (213) 628-6338

www.janneyandjanney.com

Document Prepared On Recycled Paper

-1-

**J J PHOTOCOPY SERVICE, INC**

**INVOICE**

#17

3 W. 8TH STREET - SUITE 310  
LOS ANGELES, CA 90017

Tel: (213) 484-2262 Fax: (213) 484-3852

No. 48609

7459 01

Federal Tax Id. No.: 52-2379535

<b>Bill To:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT	<b>Order By:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT / JUSTIN THOMAS
---	--

**HYPERTOUCHE vs. KENNEDY-WESTERN UNIVERSITY**

7400 C-04-5203-SI

48609 10/12/2005 18831-0002 MEGAPATH NETWORKS, INC.

**BUSINESS RECORDS UNKNOWN**

NO				
YES	BASIC CHARGE (PER LOCATION)	1	35.00	35.00
	PAGE CHARGE (PER PAGE)	11	0.25	2.75
	<i>Subgram service</i>			

<b>SUBTOTAL</b>	<b>37.75</b>
<b>SALVAGE</b>	<b>0.25</b>
<b>SHIPPING</b>	<b>0.00</b>
<b>TOTAL</b>	<b>\$37.97</b>

11/11/2005

Meriwest Credit Union

\*\*\*47.75

Forty-Seven and 75/100\*\*\*\*\*

Meriwest Credit Union  
Attn: Imaging Department  
P.O. Box 530953  
San Jose, CA 95153-8353

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): WOOLLACOTT JANNOL FIELDS LLP 10350 SANTA MONICA BLVD, SUITE 350 LOS ANGELES, CA 90025 (310) 277-5504	FOR COURT USE ONLY
NAME OF COURT AND ADDRESS: UNITED STATES DISTRICT COURT OF WASHINGTON	
PLAINTIFF/PETITIONER: HYPER TOUCH DEFENDANT/RESPONDENT: KENNEDY WESTERN	
<b>PROOF OF SERVICE</b>	CASE NO.: C045203SI

Hearing date: 09/06/05      Time: 2:00PM      Dept./Div.:

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the:

SUBPOENA IN A CIVIL CASE

- 2. a. Party served: SPEAKEASY, INC.
- b. Person served: NORALYN DANIELLE  
                            VICE PRESIDENT
- c. Address:           925 FOURTH AVE., # 2900  
                            SEATTLE, WA 98104

3. I served the party named in item 2  
 a. by personally delivering the copies (1) on 07/28/05 at (2) 2:10 PM

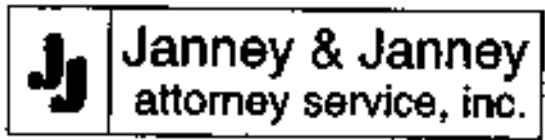
4. Witness fees were not demanded or paid. *Ø*

- 5. Person serving:
  - J. BRADFORD
  - JANNEY & JANNEY ATTORNEY SVCS.
  - 1313 W. 8TH STREET SUITE 310
  - LOS ANGELES, CA 90017
  - (213) 628-6338
- a. Fee for service: 115.00
- d. A Washington process server (subcontractor)
- (2) Registration No.: # WA
- (3) County:

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: 08/05/05      Signature: *J Bradford*

Judicial Council Form, Rule 982  
 1060160      pplv2



1313 W. 8TH STREET SUITE 310  
 LOS ANGELES, CA 90017  
 (213) 628-6338  
 www.janneyandjanney.com

Document Prepared On Recycled Paper



**J. J. PHOTOCOPY SERVICE, INC.**

15 WILSHIRE BLVD., #316  
 LOS ANGELES, CA 90017

Tel: (213) 484-2282 Fax: (213) 484-3652

**INVOICE**

No. 49816

Federal Tax Id. No.: 52-2379535

<b>Billed To:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT	<b>Order By:</b> WOOLLACOTT, JANNOL, FIELDS, L L P 10350 SANTA MONICA BLVD., #350 LOS ANGELES, CA 90025 ATTN: CYNTHIA WOOLLACOTT <i>Justin Thomas</i>
---	---

**HYPERTOUCH vs. KENNEDY-WESTERN UNIVERSITY**

7459 C-04-8203-81

49816 12/30/2005 18831-0001 SPEAKEASY, INC.

BUSINESS RECORDS

UNKNOWN

NO	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	BASIC(CLERICAL FOLLOW UP) <i>Subpara service</i>	1	25.00	25.00

NOTE: CLOSE OUT PER CLIENT

SALES TAX	0.00
SHIPPING	0.00
<b>TOTAL</b>	<b>\$25.00</b>

**Esquire Deposition Services, LLC**  
A Hobart West Company  
1020 19th Street, N.W., Suite 520  
Washington, D.C. 20036  
Tel: (202)429-0014 Fax: (202)296-8652  
Tax ID # 22-3779684

TO : Woollacott Jannol, LLP  
10350 Santa Monica Boulevard  
Suite # 350  
Los Angeles CA 90025-5075

DATE : 01/04/06  
(WOOLJ02)

PAGE : 1

FAX:

\*\*\*\*\*  
S T A T E M E N T  
\*\*\*\*\*

*Beyond Systems, Inc*  
*Paul Wagner*

INV #	INV DATE	CAPTION	REFERENCE	DT TAKEN	INV AMT CR	AMT PAID	BAL DUE
154155	12/21/05	HYPERVOUCH V. KENNEDY-NORTHEAST UNIVERSIT	Cynthia A.R. Wool	12/06/05	1,835.75	0.00	1,835.75
<b>BALANCE DUE</b>							1,835.75

For Statement Questions, Please call  
(866) 377-5964 Fax (973) 377-9543

\*\*\*\*\*  
| CURRENT |  
\*\*\*\*\*  
| 1,835.75 |  
\*\*\*\*\*

**TERMS: DUE UPON RECEIPT**

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**Remit to: Esquire Deposition Services, LLC**  
P.O Box 827829  
Philadelphia, PA 19182-7829

Attn: Jessica

Florida Court Reporting  
Brandywine Centre I  
180 Village Blvd, Suite 310  
West Palm Beach, FL 33409  
(561) 689-0999 Fax (561) 689-2899

*Boon Networks  
Andrew  
Paul  
depos*

Cynthia Woolcott, Esq.  
Woolcott Jannol, L.L.P.  
10350 Santa Monica Boulevard  
Suite 350  
Los Angeles, CA 90025

# INVOICE

DIVISION	DATE	JOB NUMBER
124552	09/26/2005	01-70983
JOB DATE	REPORTER(S)	CASE NUMBER
09/13/2005	ZIMMER	C 04 5203 SI
CASE CAPTION		
Hypertouch vs. Kennedy-Western University		
TERMS		
Due upon receipt		

**ORIGINAL AND 1 CERTIFIED COPY OF TRANSCRIPT OF:**

Andrew Paul	91 Pages	342.25
REPORTER ATTENDANCE		60.00
CONDENSED TRANSCRIPT		18.20
FedEx Delivery		45.00
<b>TOTAL DUE &gt;&gt;&gt;&gt;</b>		<b>464.45</b>

THANK YOU!

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Cynthia Woolcott, Esq.  
Woolcott Jannol, L.L.P.  
10350 Santa Monica Boulevard  
Suite 350  
Los Angeles, CA 90025

Invoice No.: 124552  
Date: 09/26/2005  
TOTAL DUE: 464.45

Job No.: 01-70983  
Case No.: C 04 5203 SI  
Hypertouch vs. Kennedy-Western Unive

Remit To: Florida Court Reporting  
Brandywine Centre I  
180 Village Blvd, Suite 310  
West Palm Beach, FL 33409

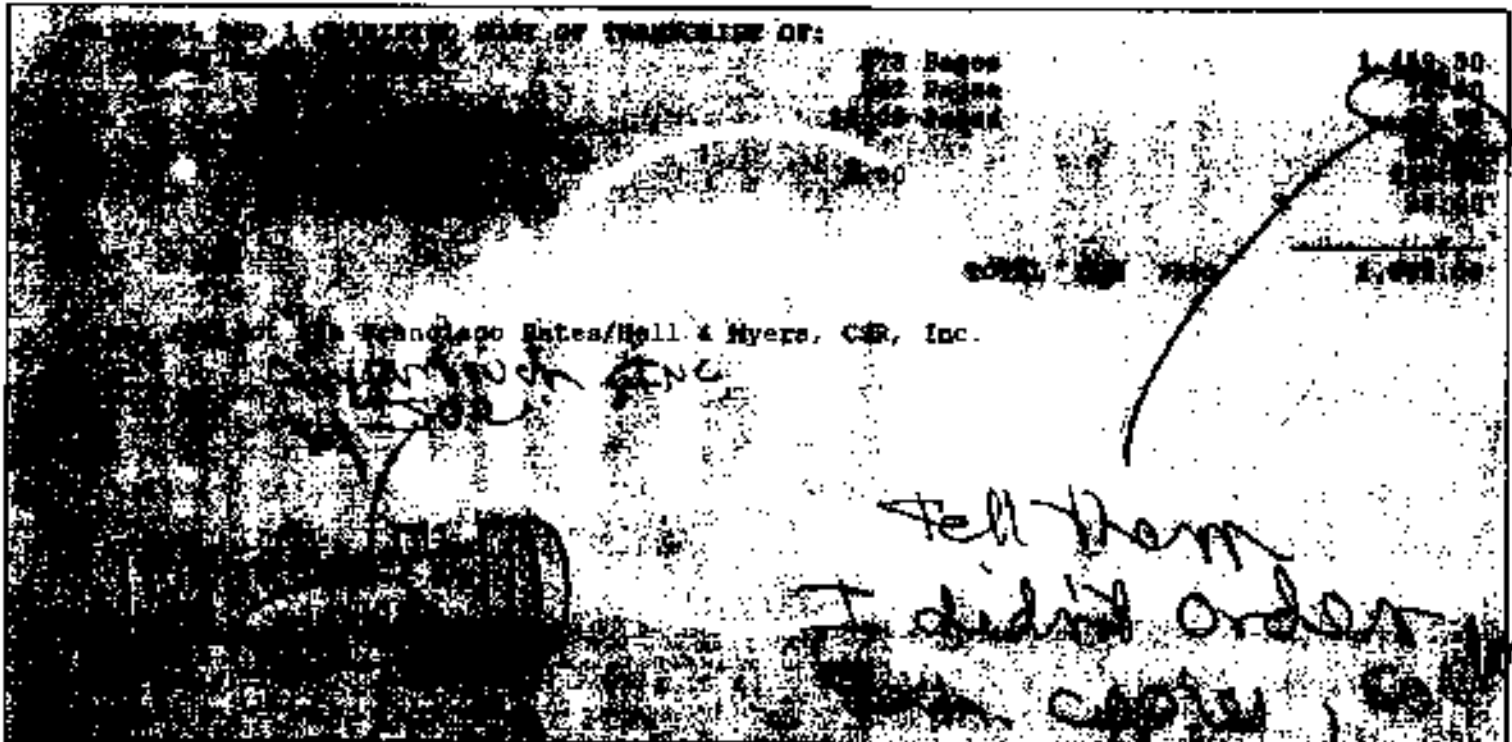


27273 Blue Spruce Place  
 Santa Clarita, CA 91354  
 Tel: (661) 255-5016  
 Fax: (661) 255-2782

**COURT REPORTING  
 INVOICE**

INVOICE NO.	DATE	JOB NUMBER
43027	09/16/2005	01-10400
JOB DATE	REPORTER(S)	CASE NUMBER
08/16/2005	FIRMEM	C 04 5203 SI
CASE CAPTION		
Hypertouch v. Kennedy-Western University		
TERMS		
Net terms 30 days, then 1.5% per month		

Cynthia A.R. Woollocott, Esq.  
 Woollocott Jarnot LLP  
 10350 Santa Monica Boulevard  
 Suite 350  
 Los Angeles, CA 90025-5075



TAX I.D. NO.: 03-0512075

(310) 277-5504 Fax (310) 532-7522

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Cynthia A.R. Woollocott, Esq.  
 Woollocott Jarnot LLP  
 10350 Santa Monica Boulevard  
 Suite 350  
 Los Angeles, CA 90025-5075

Invoice No.: 43027  
 Date : 09/16/2005  
**TOTAL DUE : 1,869.00**

Job No. : 01-10400  
 Case No. : C 04 5203 SI  
 Hypertouch v. Kennedy-Western Univer

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 27273 Blue Spruce Place  
 Santa Clarita, CA 91354

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 This bill or we'll pay the damn thing

AD 7109.1



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# INVOICE

INVOICE NO.	INVOICE DATE	JOB NUMBER
17851135	12/19/2005	1785-214667
JOB DATE	REPORTER(S)	CASE NUMBER
12/09/2005	LSF	CM5203SI
CASE CAPTION		
Hypertouch vs. Kennedy Western University		
TERMS		
Due upon receipt		

Cynthia Woolcott  
 Woolcott & Jansel  
 1358 Santa Monica Boulevard  
 Suite 358  
 Santa Monica, CA

ORIGINAL AND 1 COPY OF TRANSCRIPT (EXPERT/TECHNICAL)  
 James Joseph Wagner

*Joe Wagner*

592.90

TOTAL DUE >>>>

592.90

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